

Petition for Final Distribution and (2) For Allowance of Statutory Fees to Attorney on Waiver of Accounting

1

1) Waiver of Accounting and (2) Petition for Allowance of Commissions and Fees
and (3) For Final Distribution

DOD: 12-3-12		BEN KRIKORIAN and AARON KRIKORIAN, Co-Executors with Full IAEA without bond, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 6-18-14 Per Attorney request
		Accounting is waived.	<ol style="list-style-type: none"> 1. Need proof of service of Notice of Hearing with a copy of the petition on Attorney Marcus Magness (attorney for Holy Trinity Armenian Apostolic Church) pursuant to Request for Special Notice filed 8-5-13 and Probate Code §1252. 2. The Co-Executors are also the Co-Trustees of the trust. Therefore, need proof of service of Notice of Hearing at least 15 days prior to the hearing on all trust beneficiaries. Probate Code §1208. 3. Need order. See Local Rule 7.6.1.A.
	Aff.Sub.Wit.	I&A: \$356,452.38	
✓	Verified	POH: \$387,782.87 (\$211,644.39 cash plus securities, personal property items)	
✓	Inventory		
✓	PTC	Co-Executors (Statutory): \$10,129.05	
✓	Not.Cred.		
✓	Notice of Hrg	Attorney (Statutory): \$10,129.05	
✓	Aff.Mail	Costs: \$1,364.55	
	Aff.Pub.	(filing, publication, appraisal)	
	Sp.Ntc.	Closing: \$300.00	
	Pers.Serv.		
	Conf. Screen	Distribution pursuant to Decedent's will:	
	Letters	Ben Krikorian and Aaron Krikorian as co-trustees of the Violet Goorigian Revocable Living Trust Agreement dated 10-6-08: Entire estate	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 5-1-14
			Updates: 5-5-14
			Recommendation:
			File 2 - Goorigian

Atty Koligian, Jr., Robert, sole practitioner (for Petitioner Charles Robert Siek)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 4/26/2013		CHARLES ROBERT SIEK , son and named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Full IAEA – O.K.	
	Aff.Sub.Wit.	S/P	
✓	Verified		1. Need <i>Confidential Supplement to Duties and Liabilities of Personal Representative</i> form, pursuant to Local Rule 7.10.1 and Probate Code § 8404.—Filed 5/5/2014.
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		Note: If <i>Petition</i> is granted, Court will set status hearings as follows:
✓	Aff.Mail		<ul style="list-style-type: none"> • Tuesday, October 7, 2014 at 9:00 a.m. in Dept. 303 for filing of final inventory and appraisal; and • Tuesday, July 7, 2015 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Aff. Posting		
✓	Duties/Supp	Need Supp.	
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
✓	Letters		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

CHARLES ROBERT SIEK, son and named Executor without bond, is Petitioner.

Full IAEA – O.K.

Will Dated: 1/23/2013

Residence: Fresno

Publication: Business Journal

Estimated value of the Estate:

Personal property	-	\$195,000.00
Annual income PP	-	\$ 500.00
Total	-	\$195,500.00

Probate Referee: Steven Diebert

NEEDS/PROBLEMS/COMMENTS:

1. Need *Confidential Supplement to Duties and Liabilities of Personal Representative* form, pursuant to Local Rule 7.10.1 and Probate Code § 8404.—Filed 5/5/2014.

Note: If *Petition* is granted, Court will set status hearings as follows:

- **Tuesday, October 7, 2014 at 9:00 a.m. in Dept. 303** for filing of final inventory and appraisal; and
- **Tuesday, July 7, 2015 at 9:00 a.m. in Dept. 303** for filing of first account and/or petition for final distribution.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

Reviewed by: LEG

Reviewed on: 5/1/14

Updates: 5/5/14

Recommendation: SUBMITTED

File 3 - Siek

**Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 1/10/2012		ANITA HEATH , daughter and named Executor, is Petitioner, and requests appointment without Bond. (Attachment 3d(2) to Petition contains "Waiver by Beneficiary of Bond" signed by both heirs, Petitioner and GARY LEE LITTLE , son.)	NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 7/14/2014 Per Attorney Request 1. Item 3(b) of Petition is incomplete re: street address, city, and county of Decedent's residence at time of death, which information is required to determine the proper newspaper for publication pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9. 2. Petition requests full Independent Administration of Estates Act (IAEA) authority; however, Affidavit of Publication filed 4/18/2014 does not include the required notification to support grant of any IAEA authority, full or limited. Petitioner cannot be granted any IAEA authority without having published for IAEA authority, and the Court cannot grant the Petitioner any IAEA authority based upon the publication made. Petitioner may request IAEA authority in a separate petition filed in the estate proceeding pursuant to Probate Code § 10450, or may re-publish the notice if granted a continuance. <p align="center">~Please see additional page~</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			Not-S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.		Full IAEA – Not requested Will Dated: 9/13/2004; Addendum to Last Will and Testament Dated: 4/7/2011 Residence: Need Publication: Business Journal <u>Estimated value of the Estate:</u> Personal property - \$435,000.00 <hr/> Total - \$435,000.00 Probate Referee: Rick Smith	
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Aff. Posting			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input checked="" type="checkbox"/>	Letters		Reviewed by: LEG Reviewed on: 5/2/14 Updates: 5/5/14 Recommendation: File 4 - Little	
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

NEEDS/PROBLEMS/COMMENTS, continued:

3. *Petition* states at Item 3(e)(2) that the Will and Codicil are self-proving. However, the Will is not self-proving in the attestation clause as permitted under Code of Civil Procedure § 2015.5. Need *Proof of Subscribing Witness* to the Will pursuant to Probate Code § 8220.
4. *Addendum to Last Will and Testament* dated 4/7/2011 attached to the *Petition*, which appears to be considered by the Petitioner as a Codicil to the Will, is not witnessed pursuant to Probate Code § 6110(c). Given that there are no subscribing witnesses to the *Addendum to Last Will and Testament* such that *Proof of Subscribing Witness* to the document pursuant to Probate Code § 8220 cannot be provided, the Petitioner as proponent of the *Addendum to Last Will and Testament* must establish by clear and convincing evidence that, at the time the testator signed the *Addendum to Last Will and Testament*, the testator intended the *Addendum to Last Will and Testament* to constitute the testator's Codicil to the Will, pursuant to Probate Code § 6110(c)(2) allowing treatment of a will or codicil not executed in compliance with Probate Code § 6110(c)(1) as if it was executed in compliance with the Probate Code requirements.
5. Item 5(a)(2)(b) of the *Petition* states Decedent's spouse is deceased. Item 8 of the *Petition* does not include the name and date of death of deceased spouse pursuant to Local Rule 7.1.1 (D).
6. Item 5(a) of the *Petition* is incomplete as to (3) or (4) re: registered domestic partner, and (7) or (8) re: issue of a predeceased child.

Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 5-11-12			BEN G. SHERFY , Son and named Executor without bond, is Petitioner. IAEA: Not published Will dated: 1-14-03 Residence: Fresno Publication: Fresno Business Journal Estimated value of estate: Real property: \$662,000.00 (encumbered for \$841,731.00) Annual income from real property: \$97,600.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of the decedent's predeceased spouse pursuant to Local Rule 7.1.1.D. 2. Need Notice of Petition to Administer Estate. 3. Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing pursuant to Probate Code §8110 on: - Bradley L. Sherfy - Current Trustee of the Harold B. and Gloria T. Sherfy Family Trust - If Petitioner is also the trustee, then the beneficiaries of said trust need to be served also pursuant to Probate Code §1208. 4. The petition requests authority under IAEA; however, the publication does not include this language. Therefore, authority under IAEA cannot be granted at this time. Probate Code §10451.
	Aff.Sub.Wit.	S/P		
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail	X		
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 5-1-14	
			Updates:	
			Recommendation:	
			File 5 - Sherfy	

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 03/12/2014	KEITH D. MITSUOKA , son is petitioner and requests appointment as Administrator without bond.		NEEDS/PROBLEMS/COMMENTS: Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Tuesday, 10/07/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 07/07/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
	Sole heir waives bond		
	Full IAEA – o.k.		
	Decedent died intestate		
Cont. from	Residence: Fresno		
Aff.Sub.Wit.	Publication: The Business Journal		
✓ Verified	Estimated Value of the Estate:		
Inventory	Personal property - \$112,000.00		
PTC	Real property - \$30,000.00		
Not.Cred.	Total - \$142,000.00		
✓ Notice of Hrg	Probate Referee: Steven Diebert		
✓ Aff.Mail	w/		
✓ Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LV
			Reviewed on: 05/01/2014
			Updates:
			Recommendation: Submitted
			File 6 - Lemon

7 Betty Jean Chrest (CONS/PE)
Atty Marshall, Jared C (for Conservator of the Person, Diane Rodrigues)
Atty Helon, Marvin T (Court appointed for Conservatee)
Atty Kruthers, Heather H (for Conservator of the Estate, Public Guardian)
Status Hearing Re: Diligence Performed

Case No. 12CEPR01002

Age: 84 years	DIANE RODRIGUES , Conservator, petitioned the court to change the personal residence of the conservatee to a skilled nursing facility in Vacaville California.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	On 3/11/14 the Court granted the petition and set this status hearing re: Diligence Performed.	OFF CALENDAR.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/2/14
		Updates:
		Recommendation:
		File 7 - Chrest

		<p>SHERIE JEANE DAUER, Step-mother, was appointed Guardian on 2-11-14.</p> <p>At the hearing on 2-11-14, the Court set this status hearing re visitation.</p> <p>Family info:</p> <p>Father: DANNY DAUER Mother: MELISSA ANN STICKLES</p> <p>Paternal grandfather: Deceased</p> <p>Paternal grandmother: Joyce Dauer</p> <p>Maternal grandfather: Unknown</p> <p>Maternal grandmother: Deceased</p> <p>Siblings: Amber Dauer (21), Macalla Dauer (18), Emily Dauer (13)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 5-1-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Dauer</p>	

Atty Diaz-DeLeon, Rachel (Pro Per – Mother – Petitioner)

Atty Robledo, Adan (Pro Per Guardian)

Atty Robledo, Delores (Pro Per Guardian)

Petition for Termination of Guardianship

			RACHEL DIAZ-DELEON , Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing on the minor Geno Santino Robledo , age 13, <u>or</u> consent and waiver of notice. 2. Pursuant to Probate Code §1460(b)(5), all relatives must be served with notice of hearing on a petition to terminate guardianship. Therefore, need proof of service of Notice of Hearing <u>or</u> consent and waiver of notice on: - Geno Robledo (Father) - Robert Diaz (Maternal Grandfather) - Julia Diaz (Maternal Grandmother)
			ADAN and DELORES ROBLEDO , paternal grandparents, were appointed Guardians on 8-13-12. - Personally served 4-11-14	
	Aff.Sub.Wit.		FATHER: GENO ROBLEDO	
✓	Verified		MATERNAL GRANDFATHER: Robert Diaz	
	Inventory		MATERNAL GRANDMOTHER: Julia Diaz	
	PTC			
	Not.Cred.		Petitioner states her son has expressed he is no longer happy or comfortable living with his grandparents and has asked Petitioner to termination guardianship. While living with his grandparents, his grades are failing with a GPA below 1.9. His grandparents don't have the knowledge to help with his education.	
✓	Notice of Hrg			
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
	Conf. Screen			
	Letters		Court Investigator Jo Ann Morris filed a report on 4-28-14.	
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: skc
Reviewed on: 5-1-14
Updates:
Recommendation:
File 9 - Robledo

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,
1821, 2680-2682)

		TEMP DENIED 3-17-14 (no appearance)	NEEDS/PROBLEMS/COMMENTS:
		JIMMY ASHLOCK , Friend ("Significant Other"), is Petitioner and requests appointment as Conservator of the Person without bond.	Court Investigator advised rights on 3-20-14
Cont from: 040814		Voting rights affected	Voting rights affected - Need minute order
	Aff.Sub.Wit.		
✓	Verified	Petitioner states the proposed Conservatee is unable to provide for her personal needs for physical health, food, clothing, or shelter because of her inability to count money. She does not understand how to budget or plan for a monthly income and outlay funds. She needs assistance with cooking and purchasing everyday items. She needs constant reminders to turn off appliances. She is in need of assistance daily. Petitioner states the proposed Conservatee has been taken advantage of when in need of services, including paying a contractor, and services were never rendered. She needs assistance managing her money and paying for items at the store. Petitioner states he lives in the home with her and assists with her daily needs. He is now the payee for her financials and she has consented to his authority. It is necessary that Billie have a conservator for her best interest.	<u>Continued from 4-8-14</u>
	Inventory		
	PTC	Court Investigator Jennifer Daniel filed a report on 3-28-14.	<u>Minute Order 4-8-14: The Court notes that Billie Wright is present in court. The Court waives notice as to items #2 and #3 in the Examiner Notes (Citation and personal service of Citation with a copy of the petition). Continued to 5-6-14.</u>
	Not.Cred.		
✓	Notice of Hrg	<u>As of 5-1-14, it appears that all other noted issues have been cured.</u>	
✓	Aff.Mail		
	Aff.Pub.	Reviewed by: skc	
	Sp.Ntc.		
	Pers.Serv.	Reviewed on: 5-1-14	
✓	Conf. Screen		
✓	Letters	Updates:	
✓	Duties/Supp	Recommendation:	
	Objections	File 10 – Wright	
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

		TEMP EXPIRES 5-6-14	NEEDS/PROBLEMS/COMMENTS:
		JAYMES DRAKE and LAURA DRAKE , paternal uncle and aunt, are petitioners.	<u>Minute Order 3-19-14 (temp hearing):</u> The petitioners are directed to set up a payment plan with the Clerk's Office or file a petition for reconsideration of the fee waiver. Temp guardianship extended to 5/6/14. The Guardians shall be allowed to obtain medical and/or dental treatment for the minor. The General Hearing remains set for 5/6/14. Temp Letters extended to 5/6/14.
		Father: DAVID MITCHELL DRAKE , Consents and Waives Notice	
		Mother: JODI JAYDEAN WARD , Deceased	1. Need \$285.00 filing fees of or petition for reconsideration or payment plan pursuant to Minute Order 3-19-14.
		Paternal Grandfather: Mitchel Drake - Served 3-10-14 by mail	
		Paternal Grandmother: Cora Drake - Served 3-10-14 by mail	
		Maternal Grandfather: Mr. Ward, Deceased	
		Maternal Grandmother: Tina Smart - Served 3-10-14 by mail	
		Sibling: Alex Gaudy - Served 3-10-14 by mail	
		Petitioners state the mother was killed in a car accident in 11/2013 and the father has been in and out of incarceration and has a long history of substance abuse. The child has been in the care and custody of the petitioners since November 2013 after the father informed the petitioner that the child's mother had been killed. When the petitioner, Jaymes Drake, arrived at the home of the child, the minor had been wearing the same clothes for days, there was no power in the home and the minor was eating visibly old food. Petitioners are concerned about the child's medical and dental care. He requires immediate dental work, however, the petitioners were advised by the doctor that they would first need to obtain a guardianship before receiving medical attention. Petitioners would like to obtain insurance for the minor. Petitioners believe the maternal grandmother may be receiving benefits for the minor. Since he has come to live with them, Petitioners have learned what a troubled life the minor has had and it is their desire to give him the love and attention that he deserves.	
		Court Investigator Jennifer Young filed a report on 4-25-14.	
			Reviewed by: skc
			Reviewed on: 5-1-14
			Updates:
			Recommendation:
			File 11 - Drake

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

			NO TEMP REQUESTED	NEEDS/PROBLEMS/ COMMENTS: <u>Note:</u> The Court Investigator was <u>not</u> able to meet with the proposed Conservatee to advise her of her rights. <u>Note:</u> The petition does not request dementia medication and placement powers pursuant to Probate Code §2356.5; however, the capacity declaration indicates that the proposed Conservatee has dementia. If the Court is to consider granting dementia powers, continuance will be necessary in order to appoint an attorney for the proposed Conservatee.
	Aff.Sub.Wit.		ROLAND BARNETT , Spouse, is Petitioner and requests appointment as Conservator of the Person with medical consent powers pursuant to Probate Code §2355.	
✓	Verified		Voting rights affected (??)	
	Inventory		A Capacity Declaration was filed on 4-1-14.	
	PTC			
	Not.Cred.		Petitioner states the proposed Conservatee suffers from dementia, stroke, is unable to make decisions, be left alone, eat without assistance, dress and groom on her own, bathe on her own, etc.	
✓	Notice of Hrg		Petitioner's Declaration filed 5-2-14 states he and his wife have been married for over 50 years. He has not had any contact with her since she was removed from their home by her daughter. He has tried calling and visiting but her daughter simply won't let Petitioner see her. Petitioner was informed that the Court Investigator was not able to complete her investigation because she was also not able to speak with her. Petitioner states it was very hard to have his wife served with the citation, and was able to have their pastor do it. Petitioner states his wife looked at the papers, and then her daughter took them and threw them out. The pastor believes he is not welcome anymore to visit. Petitioner asked the pastor about his wife's condition, and he said that she was in a full size bed, isolated from the rest of the apartment, and that the bed was wet. Petitioner is very concerned for his wife's well-being. He loves her very much and looks forward to having her home again.	
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
Court Investigator Dina Calvillo filed a report on 4-30-14.				
SEE PAGE 2				

Amended Spousal or Domestic Partner Property Petition

DOD: 9-25-11		CAROLE L. MITCHELL, Spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states a petition for probate or for administration of the decedent's estate is being filed with this petition. See #12.	<u>Continued from 2-25-14</u> Note: Petitioner filed a separate Petition to Determine Succession on 3-20-14 in 14CEPR00250 that was heard on 4-30-14 and continued to 6-11-14. Note: Attorney Ryan Janisse appeared on behalf of Petitioner in the above-referenced case on 4-30-14. <u>As of 5-1-14, nothing further has been filed in this case. The Following issues remain:</u>
Cont from:022514			
Aff.Sub.Wit.		Will dated 6-23-80 devises the estate to a testamentary trust.	<ol style="list-style-type: none"> The decedent's will devises personal property and effects to Petitioner, but devises the residue of the estate to a testamentary trust. Therefore, it appears this Spousal Property Petition may not be the appropriate vehicle to transfer the decedent's property. Petitioner states at #12 that a petition for probate is being filed concurrently with this petition. However, Court records do not indicate any such filing. Need clarification. Petitioner does not attach any property description pursuant to #7a for what is being requested to be determined as passing to her. Petitioner's signature on the petition is not dated.
Verified			
Inventory		Petitioner requests determination of property passing to the surviving spouse without administration; however, the petition does not attach a description at #7a with the legal description of the property to be determined as passing to Petitioner.	Note: Petitioner previously filed a petition with an Inventory and Appraisal listing numerous parcels of real property (or portions thereof); however, this document is not appropriate for this type of petition and further is not referenced in the original petition or in the amended petition. <u>If</u> it is these parcels that Petitioner is requesting to pass, it now appears that, pursuant to the will, the property would to a testamentary trust, not to the surviving spouse.
PTC			
Not.Cred.		Duties/Supp	Reviewed by: skc
Notice of Hrg			
Aff.Mail		Objections	Reviewed on: 5-1-14
Aff.Pub.			
Sp.Ntc.		Video Receipt	Updates:
Pers.Serv.			
Conf. Screen		CI Report	Recommendation:
Letters			
9202		Order	File 13 – Mitchell
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Lewis, Heather (Pro Per – Petitioner – Maternal Grandmother)

Atty Lewis, Christopher (Pro Per – Petitioner – Maternal Grandfather)

Petition for Appointment of Temporary Guardian of the Person

Mia Age: 4		<u>TEMPORARY EXPIRES 05/06/2014</u>	NEEDS/PROBLEMS/COMMENTS:
Olivia Age: 2			
		<u>GENERAL HEARING 06/23/2014</u>	1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Alan Maddamma (Father) • Jacquelyn Maddamma (Mother) – Unless the Court waives notice
Cont. from		HEATHER LEWIS and CHRISTOPHER LEWIS, maternal grandparents are petitioners.	
	Aff.Sub.Wit.		
✓	Verified	Father: ALAN MADDAMMA , Nomination of Guardian filed 04/22/2014	
	Inventory		
	PTC	Mother: JACQUELYN MADDAMMA	
	Not.Cred.		
	Notice of Hrg	Paternal Grandfather: Alan Ray Maddamma, Deceased Paternal Grandmother: Carla Propes	
	Aff.Mail		
	Aff.Pub.	Petitioners state: father is residing in New Jersey, mother and father separated in December and without the father's knowledge the mother took the children and flew to Fresno. The mother began using Methamphetamine. The mother abandoned the children in a motel room with people who are unfamiliar to them. These people were known gang member affiliated with the local "Bulldogs". When police were called they contacted Child Protected Services. The children were uncared for and dirty. The mother told Mia that she was never coming back. The father needs time to prepare for the child and may come back to Fresno where the petitioners will provide their support.	
	Sp.Ntc.		
	Pers.Serv.	Petitioners request service to the mother be waived as her whereabouts are unknown and they fear it will be impossible to have her served.	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: LV

Reviewed on: 05/02/2014

Updates:

Recommendation:

File 14 - Maddamma

Stephan DOD: 08/09/05		DENNIS FREEMAN , is Petitioner. Petitioner states: 1. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02. 2. Bruce Bickel is the temporary trustee of the Trust pursuant to the order of this Court dated 08/30/13. 3. At the time the Trust was established, it was the intent of the Settlers that their assets be transferred to the Trust as evidenced by section 2.1 of the Trust. 4. Concurrently with the execution of the Trust, the Settlers executed "pour-over" wills on 02/16/94 that designated that the residue of each of their estates be given to the Trustee of the Trust. 5. On or about 02/16/94, Settlers transferred all of their personal property currently owned or acquired in the future to the Trust. Much of this property is located in decedent Debbra L. Winter's home and Petitioner alleges that several items of personal property were removed by Respondent, Christopher Lull. [List of items attached to Petition]. Petitioner request the Court to confirm that the personal property of Debbra Winter are assets of the Trust and subject to the management and control of Bruce Bickel, temporary trustee. 6. On or about 02/16/94, Settlor Stephan F. Winter conveyed his residence located at 5881 Ettersburg Drive in San Jose to the Trust as his separate property. Thereafter on 09/14/02 at the time the Settlers amended the Trust, the Settlers recorded a transmutation of Separate Property to Community Property acknowledging the real property was an asset of the Trust. Continued on Page 2	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing by 3:00 pm 05/05/14. 3. Need Order.
Debbra DOD: 05/13/13			
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
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<input type="checkbox"/>	Duties/Supp		
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7. On or about 04/18/13, Settlor Debbra L. Winter sold San Jose residence and purchased another residence located at 26321 Golf Links Drive, Pioneer, CA. Petitioner alleges that a portion of the Trust's cash proceeds from the sale was used in the down payment for the new residence and within 30 days of acquiring the residence, Debbra Winter passed away which prevented her from making a formal transfer to the Trust. Given these circumstances, Petitioner requests the Court to confirm that the real property commonly known as 26321 Golf Links Drive, Pioneer, CA is an asset of the Trust and is subject to the management and control of Bruce Bickel as temporary trustee.
8. Pursuant to the terms of the Trust, Debbra Winter's Will, and Transmutation of Separate Property to Community Property, Petitioner believes that it was never Debbra Winter's intent to defeat the purpose of the Trust by holding the real property in her individual name thus subjecting said assets to the jurisdiction of the Probate Court at her death.

Petitioner prays for an Order as follows:

1. The Stephan F. Winter and Debbra L. Winter Revocable Trust is valid;
2. The personal property at 26321 Golf Links Drive, Pioneer, CA are assets of the Stephan F. Winter and Debbra L. Winter Revocable Trust;
3. The real property commonly known as 26321 Golf Links Drive, Pioneer, CA is an asset of the Stephan F. Winter and Debbra L. Winter Revocable Trust and is subject to the management and control of Bruce Bickel as temporary trustee;
4. For costs herein; and
5. For other such orders as the court deems proper.